

REMARKS

The present application was filed on June 21, 2001, with claims 1-27. The application claims priority to U.S. Provisional Patent Application Serial No. 60/266,791 filed on February 6, 2001. Claims 1-27 are currently pending in the application. Claims 1, 10 and 18 are the independent claims.

Applicants respectfully request reconsideration of the present application in view of the amendments above and the remarks to follow.

Claims 1-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0101446A1 (hereinafter "Tang") in view of an article by D. Ponceleon et al. entitled "Hierarchical Brushing in a Collection of Video Data" (hereinafter "Ponceleon").

Independent claim 1 is directed to a method for use in providing a Web team portal in a collaborative system. The method includes, among other steps, a step of dynamically displaying a visual representation having a plurality of display windows including at least team members, collected presence and location information, and a set of mechanisms for a team member to use in conjunction with the displayed presence and location information to initiate a prescribed mode of communicating with one or more other members of the team. The claim further specifies that the displayed visual representation comprises a time axis having axis positions corresponding to respective ones of a plurality of time ranges, a category axis having axis positions corresponding to respective ones of the team members, and a plurality of graphic elements, with a given one of the graphic elements specifying an activity state for a particular one of the plurality of team members for a particular time period, the particular one of the plurality of team members being indicated by position of the graphic element relative to the category axis, and the particular time period being indicated by position of the graphic element relative to the time axis.

An example of the recited visual representation can be seen in FIG. 10 of the drawings in the present application. In this illustrative embodiment, a displayed visual representation comprising an OpenChannel View 1001-2 for a given set of team members includes a vertical axis 1002 identifying all of the participants in the OpenChannel View, a horizontal time axis 1003, and a plurality of graphic elements 1004. The vertical axis

1002 has axis positions corresponding to respective ones of the team members, namely, J. Smith, C. Ortiz and P. Cole in the present example. The time axis 1003 has axis positions corresponding to respective ones of a plurality of time ranges, namely, a one minute range (1m), a ten minute range (10m), and hour, day and week ranges. A given one of the graphic elements 1004 specifies an activity state for a particular one of the team members, identified by reference to the vertical axis 1002, for a particular period of time identified by reference to the horizontal time axis 1003. The activity states in this example include speaking, indicated by a black color for the graphic element, and listening, indicated by a white color for the graphic element. Thus, it can be seen from the figure that J. Smith is currently speaking, with C. Ortiz speaking just before for almost ten minutes, and P. Cole listening continuously for many weeks. For additional details regarding the operation of this illustrative embodiment, see the specification at page 25, line 26, to page 27, line 3.

It should be emphasized that this particular embodiment is discussed herein merely for purposes of illustrating one possible arrangement that falls within the scope of the previously-described limitations of claim 1. Applicants are not stating that any particular aspect of this illustrative embodiment constitutes an actual limitation of claim 1.

With regard to the §103(a) rejection, Applicants initially note that a proper *prima facie* case of obviousness requires that the cited references when combined must “teach or suggest all the claim limitations,” and that there be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references or to modify the reference teachings. See Manual of Patent Examining Procedure (MPEP), Eighth Edition, August 2001, §706.02(j).

Applicants submit that the Examiner has failed to establish a proper *prima facie* case of obviousness in the §103(a) rejection of independent claim 1, for at least the reason that no cogent motivation has been identified for combining the Tang and Ponceleon references or modifying the reference teachings to reach the claimed invention.

The Examiner acknowledges that the Tang reference fails to disclose the recited limitations of claim 1 relating to a displayed visual representation comprising a time axis having axis positions corresponding to respective ones of a plurality of time ranges, a category axis having axis positions corresponding to respective ones of the team members, and a plurality of graphic elements, with a given one of the graphic elements specifying an activity state for a particular one of the plurality of team members for a particular time period by position relative to the respective category and time axes. See the Office Action at page 3, first paragraph. However, the Examiner argues that these deficiencies of Tang as applied to claim 1 are overcome by the teachings in FIG. 5 of Ponceleon relating to “hierarchical movieDNA.” Applicants respectfully disagree.

The movieDNA approach illustrated in FIG. 5 of Ponceleon is a visualization and navigation tool particularly designed for large amounts of video data, or for other types of information, such as audio data, having a complex spatial and temporal structure. See, for example, the abstract of Ponceleon, which indicates that the described approach is directed to such types of data. In the movieDNA display in FIG. 5, a given video is separated into fixed-length time segments, with each segment corresponding to a row in a display grid. A given column of the grid indicates the presence or absence of a particular feature of interest in the corresponding segments of the video. However, the displays of Tang that are relied upon by the Examiner, such as the display in FIG. 18 in Tang, do not involve the presentation of video data or other data having complex spatial and temporal structure. Instead, the data to be presented in Tang is quite simple, namely, a short contact list that includes location and communication information for each contact. See Tang at, for example, page 9, paragraph [0107] and [0108]. Accordingly, there would be no motivation to adapt a complex video processing technique such as that disclosed in Ponceleon to the simple data at issue in Tang.

The Examiner in the Office Action at page 3, first paragraph, indicates that it would obvious to adapt the movieDNA approach of Ponceleon to the Tang contact list display because “to do so would . . . provide a visual way to express large amounts of data in one view.” However, as noted above, the Tang contact list does not deal with large amounts of data having “complex spatial and temporal structure” such as the video data described in Ponceleon. Moreover, Tang already provides an appropriate

visualization of all the necessary information to be displayed in conjunction with the contact list, as indicated in, for example, FIGS. 15 and 18 of Tang, utilizing designated icons. Thus, one skilled in the art would not be motivated to look to a significantly more complex technique, such as the movieDNA approach described in the context of video in Ponceleon, to alter the Tang display.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination “must be based on objective evidence of record” and that “this precedent has been reinforced in myriad decisions, and cannot be dispensed with.” *In re Sang-Su Lee*, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Moreover, the Federal Circuit has stated that “conclusory statements” by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved “on subjective belief and unknown authority.” *Id.* at 1343-1344. There has been no showing in the present §103(a) rejection of claim 1 of objective evidence of record that would motivate one skilled in the art to combine Tang and Ponceleon to produce the particular limitations in question. The above-quoted statement of motivation provided by the Examiner appears to be a conclusory statement of the type ruled insufficient in the *In re Sang-Su Lee* case. As noted previously, Tang does not deal with video or a similar type of data having complex spatial and temporal structure that might require the complicated movieDNA approach of Ponceleon, and Tang alone already provides display of all the needed information using icons as shown in FIGS. 15 and 18.

It is therefore believed that claim 1 as previously presented is not obvious in view of the proposed combination of Tang and Ponceleon.

Independent claims 10 and 18 are believed allowable for reasons similar to those identified above with regard to independent claim 1.

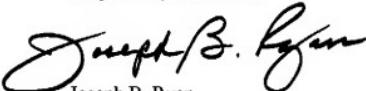
Dependent claims 2-9, 11-17 and 19-27 are believed allowable for at least the reasons identified above with regard to their respective independent claims.

Notwithstanding the traversal, Applicants have amended independent claims 1, 10 and 18 to clarify that the time ranges of the recited time axis are time ranges of differing durations arranged along the time axis in a sequence of increasing duration from a first time range of relatively short duration to additional time ranges of progressively longer

duration. An illustrative example of this can be seen in the time axis 1003 of FIG. 10, which includes axis positions for 1m, 10m, hr, day and week. Numerous alternative arrangements are contemplated.

In view of the above, Applicants believe that claims 1-27 are in condition for allowance, and respectfully request withdrawal of the §103(a) rejection.

Respectfully submitted,



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